

NOT FOR PUBLICATION IN WEST'S BANKRUPTCY REPORTER:

In re Latin Investment Corp., Case No. 90-01046:

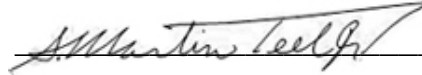
Decided: January 8, 2005.

Order Denying Application for Release of Unclaimed Funds and
Serving Warning on Applicant That Rule 9011 Sanctions May be
Imposed in Future Cases in Which the Funds Have Already Been
Released

It is hereby
ORDERED that the Order set forth below is
hereby signed as an order of the court to be entered
by the clerk.



Signed: January 08, 2005.


S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
LATIN INVESTMENT CORP.,)	Case No. 90-01046
)	(Chapter 7)
Debtor.)	

ORDER DENYING APPLICATION FOR RELEASE
OF UNCLAIMED FUNDS AND SERVING WARNING ON
APPLICANT THAT RULE 9011 SANCTIONS MAY BE IMPOSED IN
FUTURE CASES IN WHICH THE FUNDS HAVE ALREADY BEEN RELEASED

This order addresses an Application (Docket Entry ("DE")
No. 517) filed on October 13, 2004, by Larry L. Moses, The
Financial Resources Group, Inc., as attorney-in-fact for
Ricardo Lopez Hercules.

I

The Application seeks the release of unclaimed funds of
\$1,428.59 that were owed to Hercules and deposited into the
registry of the court. However, as reflected by the docket
entries sheet for this case, on June 28, 2001, Ricardo
Hercules filed an application (DE No. 488) to release
unclaimed funds in the exact same amount of \$1,428.59, and on

July 9, 2001, the court entered an order (DE No. 493) granting Hercules' application. The current Application is thus meritless.

II

An examination of the docket sheet would have revealed that these unclaimed funds were already paid out, and the Application thus violates F.R. Bankr. P. 9011(b), as the representation that the funds remained unclaimed was not "formed after an inquiry reasonable under the circumstances." The court in its discretion will not impose sanctions in this instance. However, the court serves warning on Larry Moses and The Financial Resources Group, Inc., that the court will impose sanctions (which under F.R. Bankr. P. 9011(c) may include "an order to pay a penalty into court") if they file, in this or any other case, an application for the release of funds deposited as funds unclaimed by an entity if an examination of the court's docket sheet prior to preparation of the application would have reflected that the court already ordered release of the funds to the entity. It is thus

ORDERED that the Application (DE No. 517) is DENIED.

[Signed and dated above.]

Copies to:

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